



U.S. Department of Justice

United States Attorney
Eastern District of New York

MJR
F. #2003R01145

156 Pierrepont Street
Brooklyn, New York 11201

September 28, 2005

The Honorable Allyne R. Ross
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

*Application granted. The sentence is
rescheduled for 10/27/05 @ 11:30am.*

So ordered.

Re: United States v. Luis Arboleda
Criminal Docket No. 03-0664 (ARR)

9/28/05

cc: Counsel

Probation Dept

Dear Judge Ross:

The government respectfully submits this letter to request an adjournment of sentencing in the above referenced matter from October 3, 2005 for a period of approximately three weeks. Ellyn Bank, Esq., counsel to the defendant, consents to the government's application.


I have been working closely with Immigration and Customs Enforcement ("ICE") to arrange for the defendant's waiver of deportation and immediate removal upon sentencing. ICE's Deportation Unit informs me that they need an additional three weeks to finalize the paperwork and travel arrangements for the defendant.

I have also worked with ICE counsel to draft the necessary documents so that the defendant can waive his right to a deportation hearing when he appears before Your Honor for sentencing. To that end, I am enclosing copies of the following: (1) Notice of Intent to Request Judicial Removal; (2) Factual Allegations In Support of Judicial Removal; (3) Defendant's Plea Statement In Support of Judicial Removal Proceedings; and (5) Proposed Order of Judicial Removal. The Notice of Intent and the Factual Allegations will be filed with the Clerk of the Court under separate cover.

The defendant is currently being held at the Metropolitan Detention Center ("MDC"). I have spoken to Dr. Guerrero, the MDC's chief psychiatrist, regarding the defendant's condition. Dr. Guerrero informs me that the defendant is stable, and most significantly, taking his medication every day.

Respectfully submitted,

ROSLYNN R. MAUSKOPF
United States Attorney

By: 
Michael J. Ramos
Assistant U.S. Attorney
(718) 254-6532

Enclosures

cc: Ellyn Bank, Esq. (by telecopier, with enclosures)
Clerk of the Court (by ECF, without enclosures)